

79
G. R. S. IX-5]

Previous references.

1875

191 .

File No. /.

Serial Nos. 1-4.

Later references.

(C. F.)

L.R. 22 of 1876.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

alt. Part B for June 1876.

SUBJECT.

Refund bill in favour of
~~XXXXXXXXXX~~ certain Ryots of the
Village of Bhayrasandra in the Junnar Taluk,
for construction of a well without the Govt. permission.

Indexed

Kirga Nazeer Hashmi

1
W-85

Revenue
1876.

0812
186.

From *The Commissioner*
To *Secretary to Chief-Commissioner,*
General Department.

Section *General Department.*

File 1.

Dated *21 Feb 76*

Despatched *21 Feb 76*

Received *21 Feb 76*

Regd 2002

ENCLOSURES NO.

General No. *16* } 1875-76.
No.

*Submits for sanction
a Refund of Bill for
Rs: 77-8-10 to certain Ryots
of the village of Bhayraswara
in the District of Salang.*

*To
Duffin
21-2-76*

Per 2099447

*ordered to be
filed vide Duffin
Memo: No 512.
21-2-76.*

*The report of 1877-8-
may be sanctioned,
and the Bill forwarded
to the Dy. Accountant
General for audit.*

*It is noted that the
two bills in question were
at first being made on
estimated basis. In the
later case, the sum re-
commended to be re-
funded is a portion of
it may be refused for
as a partial for having
acted on estimated basis.*

*Refund to be made
on the basis of the
bill once the
provision is made
for the same.*

Regd 2002

*Duffin
16/4/76
20*

No. 186

London
Canning
Canning
The Secretary
Chief Clerk

No. 1

Sir,
I have the honor
to receive from the
Chief Clerk
a Bill from the
of the Trustees

No. 186

Munday Division
Commissioner's Office -
Bangalore 18th February 1896

To The Secretary to the
Chief Commissioner of
Mysore.

Sir, I have the honor to submit for the Chief Commissioner's sanction a Bill from the Deputy Commissioner of the Tumkur Distt. for Rs. 77-8-0 to be refunded to 5 Ryots of the village of Bihyasundra in the Tumkur Taluk being the amount of additional assessment and fine collected from them for irrigating a piece of dry land without permission, and to state that on the complaint of the Ryots in question it was ascertained that the dry land had been irrigated with water supplied from the wells dug by themselves, and not from any work constructed at the expense of Government. Hence the refund now applied for. Vide Survey Guarantee Rules.

I have the honor to be,

Sir,
Your Most Obedient Servant.

J. C. C. C.
Commissioner

2
Drs-

Kanungo
1876

9477
140

To The Commr
Raidiroog Du.

Dated 8th

Despatched

Received

March

ENCLOSURES NO.

General No.

9477

No.

140

Your letter No. 186 of
the 18th ult. submitting
for sanction a Refund
Rs. 77-8-0 to be
paid to certain Ryots of
the village of Bhyra Sandra
in the Tumkur Taluk.

In reply, states that
no refund can be granted
if the wells were dug with-
out permission. Subse-
quent to the Survey
Settlement.

ordered

to be

no

"By Order"

Offg Secretary

na

The authorities cited in this
 letter support the Commission's
 recommendation that the
 Ryots of the Byrasundia
 village are entitled to
 the refund of Rs 77-8-
 applied for in his former
 letter No 16 of the 18th 2/8/76.

I think it is necessary
 that permission for digging
 wells upon the Ryot land
 at his own cost should
 be ^{retained from} ~~referred to~~ the Ryot
 and his order obtained
 to prevent any abuse
 of the indulgence granted
 by these rules - A Ryot
 may under these rules
 dig a well immediately
 Reg 723/27-76

From the Commission
 Hyderabad 9/10/76
 To

Secretary to Chief Commissioner,
 General Department.

Section _____
 Dated 22nd 10th 1876
 Despatched _____
 Received 22nd 10th 1876
 Ref^d 22nd 10th 1876
 ENCLOSURES NO. _____

General No. 210
 No. 1875-76

The Secretary's order No 9471
 of the 8th 10th 1876.

States that under Section
 XXXV of the Chief
 Commissioner's order No 39 of 26th May
 1871 - the Ryots of Byrasundia
 Village are entitled to the refund ap-
 plied for.

To Duffin
 22. 8. 76

ordered to be filed
 in the file of the records
 No 512 of 25.2.79

5

the basis of a full and
 or source of information &
 knowledge.
 clear exemption from
 payment of the water cap.
 Unless the applicant
 By a ^{applicant for} ~~determination~~ or order
 to construct a tank or
 well of the description
 now given, particularly
 regarding their safety
 extent and nature of
 the construction cannot
 be ascertained -

DDN

o 10th May 29/3/76
 Act I Sec 35, 1885. It says that
 Ryots can construct wells on their
 permission - but as there is a clause
 proviso that the well must not
 derive its supply from a Govt tank
 &c, the permission of the local
 authorities seems desirable, if not
 requisite -

The Commission (I suppose) that the
 provision of Act I of 1885 referred to
 can be open, and determine what
 Ryots can construct wells without the
 independence of the permission of
 the local officer - but as in the present
 case the water supply has not been stated

* from a Gov source, the applicant
 applies for the sanction.

To the Commr 30/3/76
 4/4/76 by 18/4/76
 5/4/76



No. N. 240

~~Revenue~~ Division
Commissioner's Office
Bangalore 20th March 1876.

To

The Secretary to the
Chief Commissioner
Sir, of Mysore.

With reference to your Docket
No. ~~9477~~₁₄₀ of the 8th Instant, I have
the honor to state, that under Section
XXXV of Act I of 1865, and Rule
II. of the Chief Commissioner's
Notification No 39 dated 26th May
1869 laying down Rules for the Survey
and Settlement of Mysore, a Ryot,
in virtue of his right of occupancy,
is at liberty to construct wells with-
out permission provided that they
are intended solely for the better
cultivation and improvement of
his land.

2.

Under the foregoing Rules.

~~The Report of the Agrasundra Village in~~
~~the Lunkur Salukho~~ appear to be en-
titled to the refund applied for.



I have the honor to be,
Sir,
Your most obedient servant,

W. H. H.
Commissioner.

N. 2116 ✓
R. 37 6/6/76

8
Letter No 210 dated the
20th March 1876 from the
Commissioner of Land Revenue

Order 75
The provisions of section
35 of Act I of 1865 and
Notification No 39 dated
26th May 1869 leave it
undetermined whether
Ryots can construct
wells independently of
the permission of the
local officers, but as
there is a distinct provision
that the well must
not derive its supply
from a Government
tank, previous permission
should be obtained.

In the present case
however, ^{as} the water supply
has not been obtained
from a font source, the
refund applied for, namely
Rs 77-8- is sanctioned,
& the Bill forwarded
to the Dy Accountant G.
for audit.

To The Commr. of Land Revenue
& The Dy Acctt G. with bill.
Per Secy. to Govt.

31/5
Offs Secretary.

9¹/₂ Will.

Revenue-18³⁶/₇₆.

32

1/4

The Commissioner
of the Kanddroof
Division

Dated 28th Sept 1916.
No 6395-1916

Genl. 216
Rev. 33

10 d/20-3-76
11/1/16

Sanctions the refund
applied viz Rs 77-8-
on account of water supply
& informs that the bill has
been forwarded to the D.A.
for audit.

ordered to be
filed. 2200
But the memo
no 51271
15.2.79

W.L.